



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.06.2016

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P (MD) No.11175 of 2016

K.Jegatheesan

... Petitioner

-VS-

1. The Superintendent of Police
Theni District, Theni.

2. The Inspector of Police,
Allinagaram Police Station
Theni Taluk, Theni District

3. V.D.Sekar

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the 2nd Respondent not to interfere in Civil Matters to dispose of my representation dated 07.06.2016.

For Petitioner : M/s.P.Sivachandran

For Respondents : Mr.S.Chandrasekar
Govt. Advocate

O R D E R

The writ petition has been filed for issuance of a Writ of Mandamus, directing the 2nd Respondent not to interfere in the Civil Matters and to dispose of the representation dated 07.06.2016.

2.Mr.S.Chandrasekar, learned Government Advocate, takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

4.The learned counsel appearing for the petitioner would https://hcservs.courts.gov.in/hcservlet?senior_courts_judicial_hcservlet petitioner has already filed a civil suit in O.S.No.81 of 2016 on the file of the Sub Court, Theni, seeking injunction restraining the defendants therein from evicting them



except following due process of law and the said suit is stated to be pending.

5. The learned Government Advocate appearing for the respondents 1 and 2, on instructions, would submit that already the third respondent, who is the sister's husband of the petitioner, has preferred a complaint against the petitioner and pursuant to the said complaint, a case has been registered and therefore, the rights and liability of the parties would be governed by the procedure contemplated under the Criminal Procedure Code. However, he would further submit that there is an undertaking by the respondents that the respondents will not indulge in asking the petitioner to vacate the premises. The said undertaking is placed on record.

6. Recording the undertaking given by the respondents, this petition is closed. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS)

To

1. The Superintendent of Police
Theni District, Theni.

2. The Inspector of Police,
Allinagaram Police Station
Theni Taluk, Theni District

+1cc to Mr.P.Sivachandran, Advocate, Sr.No.32799

+1cc to the Special Government Pleader, Sr.No.32735

RR

JM/SK-SKN/SAR-I/01.07.2016/2P-5C

ORDER MADE IN
W.P (MD) No.11175 of 2016
24.06.2016